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May 28, 2008

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The Honorable Debra Freeman  
United States District Court  
for the Southern District of New York  
500 Pearl Street  
New York, NY 10007

RE: *Martin Lane Historic Americana v. Eby*, No. 07-cv-8469<sup>96</sup>

Dear Judge Freeman:

Per our recent teleconference with Your Honor, please be advised that the parties have agreed to conduct depositions of their respective clients in New York on June 11, 2008. As Your Honor instructed, we will re-status the matter with the Court upon completion of the depositions and after pursuing settlement discussions with our respective clients.

Thank you for Your Honor's time and attention to this matter.

Respectfully,

BOCHETTO & LENTZ, P.C.

BY:

*Todd S. McGarvey*  
Todd S. McGarvey, Esquire

TSM/mt

cc: Arnold L. Kert, Esquire - via facsimile only (516) 222-1713

SO ORDERED: DATE: 5/28/08

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DEBRA FREEMAN  
UNITED STATES MAGISTRATE JUDGE